

**REMARKS**

By this Amendment, Applicant amends claim 12 to correct an informality. Claims 1-29 are thus now pending in this application.

**Regarding the Final Office Action:**

In the Final Office Action, the Examiner objected to claim 12 because of an informality; rejected claims 1-13 and 16-29 under 35 U.S.C. § 102(e) as anticipated by Sinn (U.S. Patent Application Publication No. 2002/0166049 A1); and rejected claims 14 and 15 under 35 U.S.C. § 102(a) as anticipated by Wohlmacher (“Digital Certificates: a Survey of Revocation Methods”).

Applicant appreciates the Examiner’s thorough examination of this application, especially the detailed citations which aided Applicant in reviewing the Examiner’s comments. Nevertheless, Applicant respectfully traverses these rejections.

**Regarding the Objection to Claim 12:**

Claim 12 has been amended to correct the informality pointed out by the Examiner. Applicant respectfully requests the removal of the objection to claim 12.

**Regarding the Rejection of Claims 1-13 and 16-29 under 35 U.S.C. § 102(e)**

Applicant respectfully traverses the rejection of claims 1-13 and 16-29 under 35 U.S.C. § 102(e) as anticipated by Sinn, for at least the following reasons.

“A claim is anticipated only if each and every element as set forth in the claim is found either expressly or inherently described, in a single prior art reference.” M.P.E.P. § 2131 (quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” M.P.E.P. § 2131 (quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)).

Claims 1 and 17 call for combinations including, for example, “sending, by the OCSF responder, the Lightweight Directory Access Protocol database query to the certificate database to determine whether the digital certificate is valid.” Similarly, claim 16 recites a combination including, for example, “an OCSF responder configured to . . . send the Lightweight Directory Access Protocol database query to determine whether the digital certificate is valid.” Although the Examiner states that these elements are present in Sinn, (Office Action, p. 3), Applicant respectfully disagrees.

The most relevant discussion in Sinn regarding determining, via a Certificate Authority, whether a digital certificate is valid is in paragraph [393], which states:

[0393]FIG. 59A shows a sequence of steps performed by Identity Server 40 to obtain and maintain real time certificate status in one implementation of the present invention. Identity Server 40 retrieves real time status for a certificate (step 3400). Identity Server 40 retrieves the status from Certificate Authority 2084 using a real time protocol. One example of a real time protocol is the well known OCSF protocol identified above. The retrieved status indicates whether the certificate is valid, expired, or revoked. In one implementation, Identity Server 40 retrieves certificate status directly from Certificate Authority 2084. In an alternate implementation, Identity Server 40 retrieves certificate status from Certificate Authority 2084 through Certificate Processing Server 2076.

However, neither this discussion nor any other portion of Sinn constitutes a teaching of “sending, by the OCSF responder, the Lightweight Directory Access Protocol database query to the certificate database to determine whether the digital certificate is valid” as recited in claims 1 and 17 or of “an OCSF responder configured to . . . send the Lightweight Directory Access Protocol database query to determine whether the digital certificate is valid,” as recited in claim 16. Therefore, Sinn cannot anticipate claims 1, 16, or 17. In light of the above remarks,

Applicant submits that the rejection of claims 1, 16 and 17 is not supported by the cited art and withdrawal of the rejection is respectfully requested.

Under the same reasoning, Sinn fails to teach or suggest at least “receiving an online certificate status protocol request associated with a digital certificate,” as required by claims 7, 12, 13, 23, 28, and 29. Applicant submits that the rejection of claims 7, 12, 13, 23, 28, and 29 is not supported by the cited art and withdrawal of the rejection is respectfully requested.

Under the same reasoning, Sinn further fails to teach or suggest at least “receiving a Lightweight Directory Access Protocol query based on an online certificate status protocol request associated with a digital certificate,” as required by claims 5 and 21, or “receiving a database query based on an online certificate status protocol request associated with a digital certificate,” as required by claims 9 and 25. Applicant submits that the rejection of claims 5, 9, 21, and 25 is not supported by the cited art and withdrawal of the rejection is respectfully requested.

Regarding dependent claims 2, 3, 4, 6, 8, 10, 11, 18, 19, 20, 22, 24, 26, and 27, Applicant notes that claims 2, 3, and 4 depend on claim 1; claim 6 depends on claim 5; claims 10 and 11 depend on claim 9; claims 18, 19, and 20 depend on claim 17; claim 22 depends on claim 21; claim 24 depends on claim 23; and claims 26 and 27 depend on claim 25. Therefore, for at least for the same reasons set forth above, the rejection of these dependent claims is not supported by the cited art and withdrawal of the rejection is respectfully requested.

**Regarding the Rejection of Claims 14 and 15 under 35 U.S.C. 102(a)**

Applicant respectfully traverses the rejection of claims 14 and 15 under 35 U.S.C. § 102(a) as anticipated by Wohlmacher, for at least the following additional reasons. Claim 14 calls for a combination including, for example, “a first computer. . . to receive an online

certificate status protocol request associated with a digital certificate. . . ; and a second computer representing a directory server.” Wohlmacher discloses that “a server (OCSP responder, *representing a directory*)” receives an online certificate status protocol request associated with a digital certificate. Wohlmacher, p. 114, col. 1, para. 2 (emphasis added). Therefore, Wohlmacher expressly states that the OCSP responder acts as the directory server, that is, the single server computer functions both as an OCSP responder and, at the same time, as a directory server. Since Wohlmacher discloses only a *single* server computer, Wohlmacher fails to teach at least “a first computer. . . to receive an online certificate status protocol request associated with a digital certificate. . . ; and a second computer representing a directory server. . . ,” as required by claim 14.

In light of the above remarks, Applicant submits that the rejection of claim 14 is not supported by the cited art and withdrawal of the rejection is respectfully requested.

Regarding to claim 15, Applicant submits that, because claim 15 depends on claim 14, at least for the same reasons above, the rejection of claim 15 is not supported by the cited art and withdrawal of the rejection is respectfully requested.

### **Conclusion**

In view of the foregoing, Applicant submits that the final rejection is not supported by the prior art references cited by the Examiner. Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 15, 2004

By: Jeffrey A. Berkowitz  
Jeffrey A. Berkowitz  
Reg. No. 36,743 *Robert E. Camp*  
#27,432